4th February 1936]

IX.—A BILL FURTHER TO AMEND THE MADRAS FOREST ACT, 1882, FOR CERTAIN PURPOSES (BILL No. 22 OF 1935).

* The Hon. Sir K. V. Reddi Nayudu:—" Mr. President, Sir, I beg to present the Report [a] of the Select Committee on the Bill to amend the Madras Forest Act, 1882, for certain purposes (Bill No. 22 of 1935), and move that the Bill as amended by the Select Committee be taken into consideration." 4-15 p.m.

The motion was duly seconded.

The motion was put and carried and the Bill taken into consideration.

Clauses 1 and 2 were put and carried.

Clause 3.

* The Hon. Sir K. V. Reddi Nayudu:—" Mr. President, Sir, I beg to move that the following be substituted for section 17-A:—

'17-*A*. (1) *Where the description of the limits of any reserved forest notified under section* 16 *is defective or is not clear in reference to existing facts, the Local Government may, by notification in the* Fort St. George Gazette, *declare their intention to redefine the limits of such reserved forest so as to remove the defect or to make the description clear in reference to existing facts. Such notification shall specify as nearly as possible the corrections which it is proposed to effect to the limits of the reserved forest.*

(2) *On the issue of a notification under sub-section* (1), *the District Forest Officer shall publish in the official gazette of the district concerned and in such other manner as may be prescribed by rules made in that behalf a notice—*

(*a*) *specifying the corrections proposed by the notification under sub-section* (1); *and*

(*b*) *stating that any objections which may be made in person or in writing to the District Forest Officer, within a period of thirty days from the date of publication of the notice, will be considered by him.*

(3) *After the expiry of the period referred to in clause* (*b*) *of sub-section* (2) *and after considering the objections, if any, received by him, the District Forest Officer shall submit to the Local Government the record of the proceedings held by him together with a report thereon.*

(4) *The Local Government may, after considering the report of the District Forest Officer, by notification in the* Fort St. George Gazette, *redefine the limits of the reserved forest as proposed by the notification under sub-section* (1) *with such modifications as they think fit or without any modifications.*

(5) *Save as provided in this section, it shall not be necessary to follow the procedure laid down in sections* 4 *to* 16 *before issuing a notification under sub-section* (4).' "

[a] Printed as Appendix VII on pages 522–525 infra.

Sir, the Hon. House will observe that this is only a redraft of the clause as drafted by the Select Committee, and to avoid any doubt that might arise, this amendment is being proposed. It was fully discussed in the Select Committee, and the Committee agreed that it is only an amplification of the wording in the Bill to see that no room is given for any doubt.

"Now, Sir, before sitting down, I should like to mention that my hon. Friend Mr. Nachiyappa Gounder has given notice of certain amendments. These amendments, Sir, are not in conflict with the amendment which I have suggested. For instance, Sir, in clause 3 my friend wants that for the word 'record' the words 'entire records' should be substituted. There is another thing on which he is very particular. He wants that notice should be given to the owners of land or lands which may be affected by the notification. As regards that, I can assure my hon. Friend that in cases where one or two or a small number of persons are affected, we will certainly ascertain who the owners are, and give notice to them; but where a large number of persons are affected, it is not possible to give notice to every one of them. A notification will be made and that ought to suffice so far as large numbers are concerned. And then, Sir, most of the suggestions that he has made could also be satisfied by the rules which are to be framed under this section. I have also assured my hon. Friend that when the rules are being framed he will be given notice of the rules and any attention that is required will be given. I shall therefore think that this may be passed without any amendments."

The motion was duly seconded.

* Mr. K. A. Nachiyappa Gounder:—"Sir, I am satisfied with the explanation of the Hon. the Law Member that he will undertake to incorporate in the rules, provision for the service of such notice to individual holders of land where a small number of persons is concerned. But he further said that in the case of a large number of persons, it is not possible. I believe, Sir, that in such cases of alteration or redefining of boundaries, there will not be any great number of persons concerned in holding the adjacent lands and I think that Government will consider and put into the rules the point *re* service of notice on individuals who are holding or occupying lands adjacent to the boundary which is to be redefined irrespective of the number whether small or great. On such an assurance of the Hon. the Law Member and with the hope that everything will be done to meet the needs by rules, I do not propose to move my amendments."

The amendment was put and carried.

Clause 3 as amended was put and carried.

Clauses 4, 5 and 6 were put and carried.

The preamble was then put and carried.

The Hon. Sir K. V. Reddi Nayudu:—"Sir, I beg to move that the Bill be passed into law."

The motion was duly seconded.

The motion was put and carried and the Bill was passed into law.